

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. JOHN S. LEONARDO
JUDGE

CASE NO. CR20083740

COURT REPORTER: Kaylene Scotson
Courtroom - 378

DATE: September 23, 2009

STATE OF ARIZONA

Richard Mendel Wintory and Heather N Siegele

VS.

EDWARD TERRAZAS VILLA
Defendant

Leo M Masursky and R Kyle Ipson

MINUTE ENTRY

JURY TRIAL - DAY TWO

10:30 AM. Defendant present, in custody.

OUT OF THE PRESENCE OF THE JURY:

State's Exhibit 194, being a Copy of SPD Law Supplemental Narrative, is identified.

Mr. Ipson objects to the testimony of Ruth Satinsky Seiber regarding items found in the defendant's storage unit.

The Court clarifies that State's Exhibits 55a through 55l have not yet been admitted in the presence of the jury and the foundation that was established out of the juror's presence must still be established in their presence, prior to admittance.

The Court and Mr. Ipson discuss Ms. Satinsky Seiber's previous testimony.

The Court states that any object the State may intend to bring into evidence through this witness' testimony, for the relevancy to be established, the same foundation must be laid as was required for admittance of State's Exhibits 55a through 55l.

IN THE PRESENCE OF THE JURY:

FOR THE STATE (Continued):

Ruth Satinsky Seiber, previously sworn, resumes the stand and is further examined by Mr. Wintory and cross-examined by Mr. Ipson.

State's Exhibit 55a through 55l, previously identified, are admitted over objection.

State's Exhibit 57, previously identified, is opened by Mr. Wintory and admitted over objection.

Lisa Gillis
Deputy Clerk

MINUTE ENTRY

Page 2

Date: September 23, 2009

Case No.: CR20083740

State's Exhibit 59, previously identified, is admitted over objection.

State's Exhibit 58, previously identified, is opened by Mr. Wintory and admitted over objection.

State's Exhibit 40, previously identified, is admitted subject to the discussion of the Court and counsel in a bench conference.

State's Exhibit 154, previously identified, is admitted.

State's Exhibit 156, previously identified, is admitted.

State's Exhibit 157, previously identified, is admitted.

State's Exhibit 158, previously identified, is admitted.

State's Exhibit 159, previously identified, is admitted.

State's Exhibit 161, previously identified, is admitted.

State's Exhibit 162, previously identified, is admitted.

Carolynn Jost, is sworn and examined by Mr. Wintory.

State's Exhibit 133, previously identified, is admitted.

State's Exhibit 134, previously identified, is admitted.

State's Exhibit 136, previously identified, is admitted.

12:00 PM. The jury is admonished and excused until 1:20 PM.

OUT OF THE PRESENCE OF THE JURY:

Mr. Ipson moves to invoke the Rule, which Motion is granted.

1:30 PM. Defendant present, in custody. Same counsel are present. Kaylene Scotson reporting.

OUT OF THE PRESENCE OF THE JURY:

Defendant's Exhibit A, being a copy of Interview, Rocky Robling, is identified.

The Court, Mr. Wintory and Mr. Ipson discuss the foundation for the statement that the victim was frightened of the defendant's reaction, as testified by Ms. Jost.

Carolynn Jost, previously sworn, resumes the stand and is questioned on voir dire by Mr. Wintory and Mr. Ipson and questioned by the Court.

Mr. Ipson objects to the relevancy of the testimony of the witness regarding this issue.

Mr. Wintory argues in response.

IT IS ORDERED that the statement that the victim was frightened may be admitted, but the reasons for the statement may not be discussed.

Lisa Gillis
Deputy Clerk

MINUTE ENTRY

Page 3

Date: September 23, 2009

Case No.: CR20083740

IN THE PRESENCE OF THE JURY:

FOR THE STATE (Continued):

Carolynn Jost, previously sworn, resumes the stand, is further examined by Mr. Wintory and cross-examined by Mr. Ipson.

Jon Cornell is sworn and examined by Ms. Siegele.

Bonnie Travers is sworn, examined by Mr. Wintory and cross-examined by Mr. Masursky.

State's Exhibits 55m through 55q, each being a piece of Artwork, taken from Exhibit 55, are identified.

State's Exhibit 48, previously identified, is admitted.

Officer John Cotsonas is sworn, examined by Ms. Siegele, cross-examined by Mr. Ipson and questioned by the jury through the Court.

Detective Steve Bunting is sworn, examined by Mr. Wintory, cross-examined by Mr. Masursky and questioned by the jury through the Court.

State's Exhibits 141, 145, 142, 146, 148, 147, 151 and 150, previously identified, are admitted.

State's Exhibit 195, being a copy of Taped Statement of Edward Villa, is identified.

5:10 PM. The jury is admonished and excused until 10:20 AM, September 24, 2009.

cc: Heather N Siegele, Esq.
Leo M Masursky, Esq.
R Kyle Ipson, Esq.
Richard Mendel Wintory, Esq.
Pretrial Services

Lisa Gillis
Deputy Clerk